



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Mark Glusco

Application: 10/633,979

Filing Date: 08-04-03

Examiner: Richman, Glenn
Art Unit: 3764

For: APPARATUS AND METHOD FOR PHYSIOLOGICAL TESTING INCLUDING
CARDIAC STRESS TEST

RESPONSE TO FIRST OFFICE ACTION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

This is written in response to a first Office Action with a mailing date of October 18, 2004.

Claim Rejections

Claims 7-12 were rejected under 35 U.S.C. 102(b) as being anticipated by Sun et al., U. S. Patent #6,273,856. The Examiner did not reference any numbers, drawings, figures, or any portion of the disclosure of Sun '856 to explain how Sun et al. is a 102(b) reference for Claims 7 or any of the claims that depend on Claim 7.

On October 7, 2004, the Applicant filed a Preliminary Amendment that added Claims 17-20 eleven days before the Office Action dated October 18 2004 . This Office Action did not address the claims added by the Preliminary Amendment nor did it refuse to enter those amendments by an action of the Commissioner. Therefore it is believed that claims 17-20 are pending in this application

Response to Claim Rejections

The Applicant is at a loss as to how to proceed since the Examiner did not offer any



CERTIFICATE OF SERVICE

I, Michael E. Mauney, do hereby certify that a copy of the foregoing Response to Office Action in:

In Re Application: Mark Glusco

Serial Number: 10/633.979

For: APPARATUS AND METHOD FOR PHYSIOLOGICAL TESTING
INCLUDING CARDIAC STRESS TEST

Filed: 08-04-03

has this day been duly served upon:

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Said service was made in the following manner:

() By handing such copy to the aforementioned attorney, or by leaving said copy at the above mentioned attorney's office with a partner or employee of his office.

(x) By depositing a copy of the aforementioned document(s) enclosed in a prepaid first class addressed envelope in the U. S. Mail.

This the 17 day of JAN, 2005.



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